

so circulated after the death of Elizabeth, when any insinuations against the great queen would not have been displeasing to her successor.

We proceed to point out the chief discrepancies between the two papers; and we give, in the first place, an example of one material deviation, placing the passages in parallel columns; each describing what took place immediately after the warrant had been signed on the first of February:

From the Cotton MS.

"And thereupon (after some intermingled speech to and fro), told me she would have it done as secretly as might be, appointing the hall where she was for the place of execution; and misliking the court, or green of the castle for divers respects she alleged, with other speech to like effect. Howbeit, as I was ready to depart, she fell into some complaint of Sir Amias Paulet and others, that might have eased her of this burthen, wishing that Mr. Secretary Walsingham and I would yet write unto both him and Sir Drue Drury, to sound their disposition in that behalf. . . . The same afternoon I waited on my lord chancellor for the sealing of the said warrant. . . . I returned back unto Mr. Secretary Walsingham, whom I had visited by the way, and acquainted him with her pleasure touching letters that were to be written to the said sir Amias Paulet and sir Drue Drury, which at my return I found ready to be sent away."

From the Harleian MS.

"She finally willed me to take up the said warrant, and to carry it immediately to the great seal, commanding me expressly to dispatch and send it down unto the commissioners with all the expedition I might appointing the hall of Fotheringay for the place of execution, misliking the court-yard for divers respects she alleged; and, in conclusion, absolutely forbade me to trouble her any further, or let her hear any more thereof till it was done, seeing that for her part she had now performed all that either in law or reason could be required of her; and so, calling for the rest of the things I had to be signed, dispatched them all. This done, she entered into some speech with me of Mr. Secretary Walsingham, delivering me a message to be imparted unto him, and willing me withal to shew him her warrant in my way to the seal (he being then sick at his house in London), yielding merrily this reason, that she thought the sight thereof would kill him outright. . . . After dinner I repaired to the lord chancellor, according to my directions, having first visited Mr. Secretary Walsingham on my way, and acquainted him with those things her majesty had given me in charge."

In the above "relation" from the Harleian MS. there is not a word about the joint letter that was to be written, as the "discourse" states, to sound the disposition of Paulet and Drury. The warrant was to be dispatched and sent down to the commissioners with all expedition; the queen commanded that she should hear no more about it till it was done. The "discourse" has a very different story. Paulet and Drury were to be written to with reference to some irregular proceeding for taking the life of Mary without the necessary forms: "Albeit I had before excused myself from meddling therein, upon sundry her majesty's former motions, as a matter I utterly prejudged, assuring her that it should be so much labour lost, knowing the wisdom and integrity of the gentlemen, whom I thought would not do such an unlawful act for any respect in the world; yet, finding her desirous to have the matter attempted, I promised for her satisfaction to signify this her pleasure to Mr. Secretary." Thus becoming an accessory to "an unlawful act," he goes to Walsingham, "he being then sick at his house in London;" and the most wary man in the world instantly adopts some illegal suggestion, full of peril and difficulty, at the very moment when the great object of himself and the other members of the council was accomplished, and Elizabeth's warrant for Mary's execution was signed at last. The letter was such a matter of course that the sick man sets about its instant preparation; and when Davison returns, in an hour or so, he finds it "ready to be sent away." In the "true relation" of Davison there is not one word to indicate that any such letter was written, or ordered to be written. This relation, throughout, aims only at showing that the queen held firmly to her original command that the warrant should be quickly executed; "albeit, she thought it might have been better handled, because this course threw

the whole burthen upon herself." This was said on the 2nd of February; and Davison replies to the queen that he "saw not who else could bear it, seeing her laws made it murder in any man to take the life of the meanest subject in her kingdom but by her warrant." This is corroborated by the "discourse." She thought "that it might have been otherwise handled for the form, naming unto me some that were of that opinion, whose judgments she commended." Her ministers complained of Elizabeth that she hesitated to give that authority to the council that would have been their warrant to issue a writ for the execution of the queen of Scots. Davison distinctly separates the warrant which the queen signed from the writ of execution which was issued by the council. It is clear that the queen had a vague desire that the warrant should come from her council, as the writ of execution did come—a weak and crafty desire, but not a longing for assassination. Some such longing had indeed, according to the "true relation," been put into her head by one of her most dangerous advisers, some days after the sick Walsingham and the conscientious Davison had, according to the ordinary interpretation, proposed to Paulet and Drury that they should murder their prisoner. Thus Davison relates a subsequent interview with the queen: "Some two or three days after, having special occasion to attend her majesty, and finding her in her gallery at Greenwich all alone, she entered into some speech with me of a course that had been propounded unto her underhand by one of great place, concerning that queen; asked me what I thought thereof; which, being in truth very unsuitable to the rest of her public proceedings, I utterly misliked, delivering my reasons, wherewith she seemed to rest satisfied, without any show of following this new course, or altering her former resolution in any point." This, it seems, was "a new course,"—a course "very unsuitable to the rest of her public proceedings," which Elizabeth told Davison "had been propounded to her underhand by one of great place," but "without any show of altering her former resolution in any point"—the resolution that the warrant should take effect. And yet this "new course," according to the ordinary belief, was the "underhand" one which Walsingham and Davison had proposed to Paulet and Drury some days before, at the express desire of the queen herself.

The manifest discrepancies between the two papers attributed to Davison might perhaps have suggested some such doubts as we have stated, if not of their genuineness, at least of their real meaning, if there had not appeared other papers which profess to be the identical correspondence of Walsingham and Davison with Paulet and Drury. We give the letter of Elizabeth's secretaries as it was first discovered and presented to the world about a hundred and forty years after it professed to have been written. If this letter had never appeared, we might have most reasonably doubted whether the strongest statements of Davison had any reference to secret assassination.

"TO SIR AMIAS PAULET.

"After our hearty commendations, we find by speech lately uttered by her majesty, that she doth note in you both a lack of that care and zeal for her service that she looketh for at your hands, in that you have not in all this time of yourselves, without other provocation, found out some way to shorten the life of that queen, considering the great peril she is hourly subject to so long as the said queen shall live. Wherein, besides a kind of lack of love towards her, she noteth greatly that you have not that care of your own particular safeties, or rather of the preservation of religion, and the public good and prosperity of your country, that reason and policy commandeth; especially having so good a warrant and ground for the satisfaction of your conscience towards God, and the discharge of your credit and reputation towards the world, as the oath of Association, which you both have so solemnly taken and vowed, and especially the matter wherewith she standeth charged being so clearly and manifestly proved against her. And therefore she taketh it most unkindly towards her that men professing that love toward her that you do, should in any kind of sort, for lack of the discharge of your duties, cast the burthen upon her, knowing as you do her indisposition to shed blood, especially of one of that sex and quality, and so near to her in blood as the said queen is. These respects, we

find, do greatly trouble her majesty, who, we assure you hath sundry times protested, that if the regard of this danger of her good subjects and faithful servants did not more move her than her own peril, she would never be drawn to assent to the shedding of her blood. We thought it very meet to acquaint you with these speeches lately passed from her majesty, referring the same to your good judgments. And so we commit you to the protection of the Almighty.

"Your most assured friends,

"FRANCIS WALSINGHAM.

"WILLIAM DAVISON."

At London, Feb. 1, 1586 [1587].

Mr. Hallam has referred to doubts of the genuineness of this letter which were expressed in the original edition of the "Biographia Britannica," Note to Art. "Walsingham." Others, less candid, have avoided hinting that such a doubt had ever been expressed. The point is all-important. If this letter is a genuine one, there is an end of all doubt—Elizabeth desired that Mary should be secretly murdered. If it be a forgery, the charge falls to the ground; for there is nothing in the apologies of Davison that gives this meaning absolutely—nothing that is incapable of another interpretation. The writer of the note in the "Biographia Britannica" rests his scepticism upon his confident belief that Walsingham, the most wary of politicians,—who, according to Camden, had resisted every suggestion for dealing with Mary except by open trial,—would never have committed himself to an expression of the queen's regret that Paulet and Drury had not taken means to shorten her life. But there is another suspicious point of internal evidence, which that writer has not noticed. Davison signs a letter, in which he says that the oath of the Association (which was an engagement to pursue to death any person plotting against the life of queen Elizabeth) would be a ground for the satisfaction of their conscience in proceeding of themselves to the execution of that oath. The man who signs this exhortation had refused himself to join the Association, and sets forth, at a later period, that such refusal had been injurious to him. Is it possible that any conscientious man—as Davison is held to have been—would plead the obligation to shed blood imposed by an oath upon others, which oath he had refused to take, as being against his own conscience?

The answer of Paulet and Drury to the infamous proposal of Walsingham and Davison is as follows:—

"TO SIR FRANCIS WALSINGHAM, KNT.

"SIR,—Your letters of yesterday coming to my hands this present day at five in the afternoon, I would not fail, according to your directions, to return my answer with all possible speed, which shall deliver unto you great grief and bitterness of mind, in that I am so unhappy to have lived to see this unhappy day, in the which I am required, by direction from my most gracious sovereign, to do an act which God and the law forbiddeth. My good livings and life are at her majesty's disposition, and am ready to lose them this next morrow if it shall so please her; acknowledging that I hold them as of her mere and most gracious favour. I do not desire them, to enjoy them, but with her highness's good liking; but God forbid that I should make so foul a shipwrack of my conscience, or leave so great a blot to my posterity, or shed blood without law and warrant; trusting that her majesty, of her accustomed clemency, will take this my dutiful answer in good part (and the rather, by your good mediation), as proceeding from one who will never be inferior to any Christian subject living in duty, honour, love, and obedience towards his sovereign. And thus I commit you to the mercy of the Almighty. From Fotheringay, the 2nd of February, 1586 [1587].

"Your most assured poor friends,

"A. PAULET.

"D. DRURY."

The following is a postscript:—

"Your letter coming in the plural number, seems to be meant as to sir Drue Drury as to myself: and yet because he is not named in them, neither the letter directed unto him, he forbearth to make any answer, but subscribeth in heart to my opinion." (And yet he does answer, and appends his signature.)

If any one can readily believe that this is the boastful style in which two of Elizabeth's servants, the breath of whose nostrils was court favour, would answer a half-command of the queen herself, transmitted by her two secretaries of state, we can only say that they have more confidence than ourselves, not only in the public virtue of such men, but in their unexampled boldness in hurling foul scorn at their mistress and her ministers. We have seen how suspicious are all the circumstances connected with the dispatch of the letter, held to contain a plain command of the queen "to shorten the life" of the unhappy prisoner of Paulet and Drury. According to Davison's "discourse," as explained by the letter itself, Elizabeth gives her order without any hesitation. She does not dally, as John dallied with Hubert:

"I had a thing to say,—But let it go."

Let us see how she receives the refusal of Paulet to execute this supposed unholy command. Does her conscience sting her when she reads what Paulet replies—"God forbid that I should make so foul a shipwrack of my conscience, or leave so great a blot to my posterity, or shed blood without law or warrant"—"to do an act which God and the law forbiddeth"—to be an assassin? Does she use any solemn oath to purge herself from a suspicion that her meaning was murder? With the same matchless impudence that prompted her command, she reads the refusal to obey it. "She rose up, and after a turn or two went into the gallery, whither I followed her: and there renewing her former speech, blaming the niceness of those precise fellows, as she termed them, who in words would do great things for her surety, but in deed performed nothing, concluded that she would well enough have done without them. And here, entering into particularities, named unto me, as I remember, one Wingfield, who, she assured me, would, with some others, undertake it." ("Discourse.") If to "undertake it" meant to poison, or to stab, no murderess that ever lived was so brazen-faced in her "particularities" as this Elizabeth. Mr. Tytler paraphrases this passage, and says, "Who this new assassin was to whom the queen alluded does not appear." Let us try to make the matter clearer. The earl of Shrewsbury had a castle called Wingfield, or Winfield. There Mary was, in 1584, under the charge of sir Ralph Sadler. Insert two letters in the Davison MS., and we read, "One [at] Wingfield." The one who would "undertake it" would not necessarily be an assassin; and from the answer of Davison to this allusion of the queen, it is quite clear that he did not view the refusal of Paulet and Drury to "undertake it" as a refusal to perpetrate a secret murder. He "discoursed unto her the great extremity she would have exposed those poor gentlemen to; for if, in a tender care of her surety, they should have done that she desired, she must either allow their act, or disallow it." Whatever it was to be, it was to be an open act. Elizabeth—if we altogether reject the two suspicious letters from the evidence—desired an informal public execution, but not a mysterious removal of the condemned prisoner. The trial of Mary took place while Leicester was in the Netherlands. On the 25th of October he wrote from Utrecht a letter to Walsingham, in which he says, "My heart cannot rest for fear, since I heard that your matters are deferred. . . . I do fear, if I had been there with you, I should rather have put myself into her majesty's place, than suffered this dreadful mischief to be prolonged, for her destruction." Elizabeth wished some one to take upon himself the responsibility of "her majesty's place"—a wretched device, but not a scheme of assassination.

* "Leycester Correspondence," p. 47.

But any objections that might be raised to the internal evidence of the authenticity of these letters would be overthrown, if the originals were preserved, and the signatures could be compared with the well-known autographs of Walsingham and Davison. They are professedly copies; and yet Mr. Tytler calls them "original letters;" and another historian speaks of them as "unquestionable documents." In quoting them, or commenting upon them, we are sometimes referred to the Harleian MS. There, indeed, may we find copies of the two letters, which copies are thus described in the Catalogue of the MSS. in the British Museum:—"One is dated the 1st, the other the 6th of Feb., 1586. Both copies partly in lord Oxford's own hand, and inclosed in a letter from the duke of Chandos to his lordship, who had lent them to him, expressing his return of them and opinion that they are a very valuable curiosity, and deserve well to be preserved. Dated Cannons, Aug. 23, 1725." The famous Robert Harley died in May, 1724, and was succeeded by his son Edward, to whom the duke of Chandos must have returned the "very valuable curiosity." At that time, however, they had been published by Dr. Mackenzie, as illustrative of Davison's apology, in his "Worthies," 1722; and by Thomas Hearne, in his edition of Robert of Gloucester's Chronicle, which bears the date of 1724. Hearne says, they were copied by a friend of his, in September, 1717, from a manuscript folio book, containing letters to and from Sir Amias Paulet, when the queen of Scots' governor at Fotheringay. Where is that "manuscript folio book," so curious on many other accounts? Hearne gives us, after the letter of Walsingham and Davison, the following as entries in what Dr. Lingard calls "the letter-book" of Paulet.

"This letter was received at Fotheringay the 2nd of February, at five in the afternoon." Immediately after, we have "An abstract of a letter from Mr. Secretary Davison, of the said 1st of February, 1586, as followeth:—'I pray you let this and the inclosed be communicated to the fire, which measure shall be likewise met to your answer, after it hath been communicated to her majesty for her satisfaction.'" But Davison is still anxious; and we have next, "A postscript in a letter from Mr. Secretary Davison, of the 3d of February, 1586:—'I entreated you in my last letters to burn both the letters sent unto you for the argument's sake; which, by your answer to the secretary (which I have seen) appeareth not to be done. I pray you let me intreat you to make heretics both of th' one and th' other, as I mean to use yours after her majesty hath seen it.'" Davison is further so uneasy about the murderous letter, that he adds a postscript to the postscript,—"I pray you let me know what you have done with my letters, because they are not fit to be kept."

The letters, it is said, were not burnt. Chalmers gives an extract of a letter from Paulet, in which he says, "If I should say I burnt the papers you wot of, I cannot tell if anybody would believe me; and therefore I reserve them to be delivered into your own hands at my coming to London." Dr. Lingard, who quotes this, says, "He might do so: but the letter and answer had previously been entered into his letter-book. Had this not happened, the fact would never have come to light." How does Dr. Lingard know that "the papers you wot of" refers to the letter of the 1st of February? If the letter-book itself were come to light we should be better satisfied as to "the fact." As it is, these laborious postscripts, so carefully preserved, appear very much like the performance of some fabricator overdoing his work. There is one expression which to us is very suspicious: "I pray you let me entreat you to make heretics both of th' one and th' other." Was this a common joke of the "Home Office" of 1587? Walsingham, in a letter to Leicester about the Babington Conspiracy (Cottonian MS.), says, "I pray your lordship make this letter an heretic after you have read the same."* Or was this remarkable expression worked into Secretary Davison's postscript by one who had been struck by it in the Cotton MS.?—the friend of Hearne, who found these choice bits, and no other, in the "Manuscript folio book." If these letters and postscripts were forgeries, they were founded upon the "discourse" of Davison, as "transcribed by Mr. John Urry, of

* "Leicester Correspondence," p. 342.

Christchurch." They fit tolerably well; but there is one slip. The haste with which the letters were exchanged, at a distance of eighty miles, is very remarkable. The answer to the secretary's letter of the 1st of February is in London on the 3rd, according to Davison's postscript, in which he says that he has seen it. But in Davison's "discourse" we find that the queen asks him on the 4th if he had heard from Paulet, and he tells her "no." That same afternoon he says, "I met with letters from him, in answer to those that were written some few days before." In Davison's story, after the date of the 1st of February, we have to fix the other dates by following the narrative day by day. It was easy to mistake the exact date, in the manufacture of a letter to suit the narrative, and give it a darker hue.

We might leave this mysterious question at this point, had we not a few words to add about the period at which the correspondence so calculated to damage the memory of the Protestant queen Elizabeth was first given to the world. It was in the hottest period of Jacobite plots for the bringing in of the Pretender. Harley, who makes copies of these letters, was implicated in these intrigues. They are first published by Dr. Mackenzie, in 1722; and being re-published in 1725, in a life of Mary, Queen of Scots, by Freebairne, he says, with a curious sort of candour, speaking of the odious charge about assassination, "This affair, which leaves so foul a stain upon queen Elizabeth's reputation, I dare not assert to be fact," and he adds that, therefore, he shall only transcribe these letters; "a copy of which, transcribed from the originals, was sent to the Doctor by our learned countryman, Mr. John Hurry, of Christ's Church College, Oxon." Mr. John Urry, the incompetent editor of Chaucer, was known to Harley and Atterbury; and he might have received the letters from some zealous friend of the Stuarts. Hearne, who publishes them in 1724, was a non-juror; and his anxiety to give them to the world was shown by his thrusting them into the middle of a glossary of an ancient chronicle which he published. Lastly, Dr. Jebb prints the two letters in the Appendix to his History of Mary, queen of Scots, published in London, also in 1725. From that time the odious charge against Elizabeth has mainly rested upon these letters, as those who printed them clearly